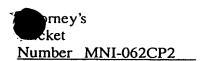
Curromer Number: 000959



Declaration, Petition and Power of Attorney for Continuation-in-Part Patent Application

As a below named inventor, I hereby declare that:

the specification of which

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NOVEL MEMBERS OF THE CAPSAICIN/VANILLOID RECEPTOR FAMILY OF PROTEINS AND USES THEREOF

(check one)

X is attached hereto.

was filed on as

Application Serial No.

and was amended on (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application in part discloses and claims subject matter disclosed in my earlier filed application(s), as follows:

- X Serial No.60/108,322, filed November 13, 1998; Serial No.60/114,078, filed December 28, 1998, as to which I claim priority benefit under Title 35, United States Code, §119(e).
- X Serial No. 09/258,633, filed February 26, 1999; Serial No. 09/421,134, filed October 19, 1999, as to which I claim priority benefit under Title 35, United States Code, §120.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, including all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of the continuation-in-part application.

AS TO PARENT APPLICATIONS

As to the subject matter decreases application which is common to scalarlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to said earlier application, or in public use or on sale in the United States of America more than one year prior to said earlier application; that the common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of said earlier application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said earlier application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on the common subject matter, filed in or designating any country foreign to the United States of America, prior to said earlier application by me or my legal representatives or assigns,

Check one:

- X no such applications have been filed.
- _ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119	
			_ Yes	No _
7,			_ Yes	No _
			_ Yes	No _
			_ Yes	No _
			_ Yes	No_

(6 MONTHS FOR DESIGN) PRIOR TO SAID EARLIER U.S. APPLICATION

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS

AS TO THIS APPLICATION'

As to the subject matter of the samplication which is not common to dearlier application, I do not know and do not believe that the same was ever known or used in the United States of America before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof, or more than one year prior to this application, or in public use or on sale in the United States of America more than one year prior to this application; that said non-common subject matter has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application; and

As to applications for patents or inventor's certificate or PCT international application(s) designating at least one country other than the United States of America, on said non-common subject matter, filed in or designating any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns,

Check one:

- \dot{X} no such applications have been filed.
- _ such applications have been filed as follows

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month,day,year)	Priority Claimed Under 35 USC 119	
-				
			_ Yes	No _
		•	_ Yes	No _
	7.71 - 1		_ Yes	No _
			_ Yes	No _
			_ Yes	No _

ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF U.S. PROVISIONAL APPLICATION(S)

I hereby claim the benefit ander 3 listed below.	35 U.S.C. §119(e) of any United States provisional application(s)
60/108,322	November 13, 1998
(Application Serial No.)	(Filing Date)
60/114,078	December 28, 1998
(Application Serial No.)	(Filing Date)
CLAIM FOR E	BENEFIT OF U.S. PATENT APPLICATION(S)
I hereby claim the benefit under 3 below.	5 U.S.C. §120 of any United States patent application(s) listed
09/258,633	February 26, 1999
(Application Serial No.)	(Filing Date)
09/421,134	October 19, 1999
(Application Serial No.)	(Filing Date)